

REMARKS

Claims are 8-15 and 17-19 are amended. Based on these amendments, claims 1-20 are currently pending in the application.

Rejection under 35 U.S.C. § 112

Claim 11 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 11 has been amended to replace "constructed from" with "using" in order to make the relationship more clear. In addition, the body of claim 11 is deleted because using the steps of claim 8 implies that the deleted elements of claim 11 already exist. Applicant respectfully requests that the rejection of claim 11 be withdrawn in light of the amendment.

Rejection under 35 U.S.C. §103

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Gatti et al. (U.S. 4,713,714). Applicant respectfully submits that Gatti does not support a *prima facie* case of obviousness, and thus that claims 1-20 are allowable over the reference.

The examiner has submitted that the general conditions of the claim are disclosed in Gatti, and thus the discovery of optimum or working ranges only involves routine skill in the art. Applicant asserts that the examiner's application of *In re Aller* is not appropriate in this instance. First, all of the general conditions are not disclosed by Gatti. Gatti discloses a multilayered support structure consisting of a cradle (20) and an additional mounting plate (10) that ultimately attaches to the chassis of the housing. The present invention only claims the device and one mounting plate. As such, Gatti does not teach or suggest all of the claim limitations and thus does not provide a *prima facie* case of obviousness.

Second, as the examiner points out, Gatti does not discuss any inertias of the mounting plate and the disc drive (or the cradle for that matter), "or a certain

range of relations between them." It should be noted that a particular parameter must first be recognized as a result-effective variable in order to allow for a determination of the optimum or workable ranges of the variable to characterized a routine experimentation. In re Antonie, 195 USPQ 6. Gatti does not even discuss the role that moments of inertia play in the minimalization of vibration within the mounting system, let along recognize inertia as a result-effective variable. (See MPEP §2144.05) Thus, the relationship between the inertias of the two components does not require only routine skill in the art and the present application is not obvious in light of Gatti.

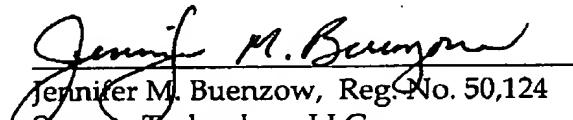
Conclusion

Applicant respectfully submits that independent claims 1-20 are patentable over the applied reference. Applicant therefore respectfully requests for reconsideration and withdrawal of the rejections to claims. The Examiner is invited to telephone the undersigned for expeditious resolution of any outstanding or additional issues that may arise.

Respectfully submitted,

Seagate Technology LLC
(Assignee of the Entire Interest)

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Date


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